

DOCKET NO: 263787US2PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIROSHI MASHIMA, ET AL. : EXAMINER: STOUFFER, K.
SERIAL NO: 10/518,371 :
FILED: DECEMBER 28, 2004 : GROUP ART UNIT: 1792
FOR: METHOD FOR PLASMA-ENHANCED CHEMICAL VAPOR DEPOSITION AND
APPARATUS FOR PLASMA-ENHANCED CHEMICAL VAPOR DEPOSITION

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement in the Official Action mailed May 15, 2008, Applicants elect Group 1 (Claims 1-6 directed to a process) with traverse, for further examination on the merits in the present application. The inventors of the elected claims are the same as the inventors of the application as originally filed.

Applicants respectfully traverse the restriction requirement under 35 U.S.C. § 121 and 372.

The MPEP §1850, III, A. states:

The method for determining unity of invention under PCT Rule 13 shall be construed as permitting, in particular, the inclusion of any one of the following combinations of claims of different categories in the same international application: ...

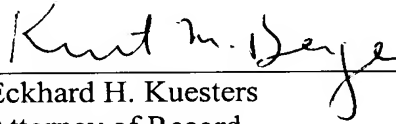
(B) In addition to an independent claim for a given process, an independent claim for an apparatus or means specifically designed for carrying out the said process...

Claims 1-6 are directed to a process, and Claims 7-8 are directed to an apparatus specifically designed for carrying out the process of Claim 1. Accordingly, Applicants respectfully submit that Claims 1-6 (Group 1) and Claims 7-8 (Group 2) form a single inventive concept and should not be subject to a restriction requirement.

Accordingly, an action on the merits is earnestly solicited.

Respectfully submitted,

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